

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

SHAW-NAE DIXON, THOMAS CASATELLI,
JEANETTE RIVERA, NATALIA
YAKUBOVA, CHRIS KING, ALISON
MARCHESE, on behalf of AM, JM, and MMV
(her minor children), WILLIAM MORRIS, ,
GEORGE KABBEZ, MARY JOSEPHINE
GENEROSO, SHAW-NAE'S HOUSE, LLC,
SALTY DOG RESTAURANT, LTD, PER
TAVERN CORP. d/b/a THE KETTLE BLACK,
and CARGOSTORK PARTIES, INC. d/b/a DO
ME A FAVOR, INDEPENDENT
RESTAURANT OWNERS ASSOCIATION
RESCUE, INC.,

Plaintiffs,

v.

BILL DE BLASIO, in his official capacity as
Mayor of the City of New York, AND THE
CITY OF NEW YORK,

Defendants.

Civil Action No. _____ -cv- _____ -

**DECLARATION OF SHAW-NAE
DIXON IN SUPPORT OF ORDER TO
SHOW CAUSE WITH TEMPORARY
RESTRAINTS AND OTHER RELIEF.**

SHAW-NAE DIXON, of full age, hereby declares the following under penalty of perjury:

1. I am an individual plaintiff in this matter, and am the sole member of Shaw-Nae's House, located in Staten Island, New York. I am fully familiar with the facts set forth below. I make this Declaration in support of the plaintiffs' Order to Show Cause Seeking a Temporary Restraining Order and other relief.

2. By way of background I am a 44-year-old African-American woman.

3. On September 11, 2020, I was pronounced clinically dead at Richmond University Medical Center.

4. I had no prior health problems. Through the grace of God, I was revived from death by medical personnel. It is unknown how long I was without oxygen to my brain.

5. Following my death and revival, my outlook on life greatly changed, and I decided to open my restaurant as a calling.

6. Shaw-Nae's House is proudly black-owned business. It primarily serves culturally-black soul food, and has a large African-American contingent among its diverse clientele.

7. I am not anti-vaccine. I cannot have the vaccine. My doctors advised me that the vaccine may kill me, in light of the unknowns related to the medical condition that killed me once already.

8. Indeed, the Centers for Disease Control ("CDC") reports that between December 14, 2020, and August 30, 2021, there have been 7,218 reports made to its Vaccine Adverse Event Reporting System ("VAERS"). (See Exhibit A attached).

9. If I am not vaccinated, I cannot work at my restaurant, according to the Mayor's Emergency Executive Orders 225, 226, and 228. There is no exception for a person like me, who has a bona fide health reason not to get the vaccine.

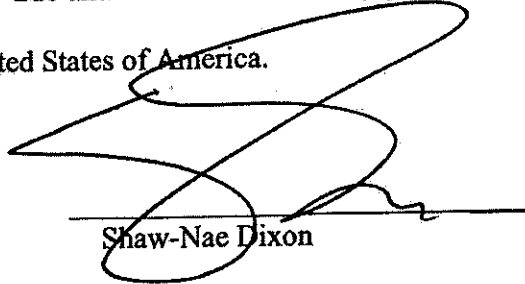
10. Thus, since I refuse to subject myself to a vaccine which doctors advise may kill me, I will be put out of business without compensation because of the Mayor's Emergency Executive Orders.

11. Furthermore, because I cannot and will not get the vaccine, I will be precluded from most indoor venues in the City of New York.

12. I am aware that many or most of my African-American patrons are unvaccinated. I also am aware that the City has aimed advertising at African-Americans and other minorities which is designed to convince minorities to get vaccinated. From my experience and information, I am certain that a disproportionate number of African-Americans will be adversely impacted by the Emergency Executive Orders. Since the City has been targeting advertisements to the black community, I feel

certain that the Mayor had to know that the Emergency Order 225 would disproportionately affect African-Americans.

I hereby declare the foregoing to be true and correct based on my personal knowledge under penalty of perjury under the laws of the United States of America.

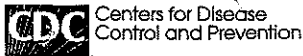


Shaw-Nae Dixon

Dated: September 10, 2021

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EXHIBIT A



Selected Adverse Events Reported after COVID-19 Vaccination

Updated Sept. 2, 2021

[Print](#)

Safety of COVID-19 Vaccines

Some people have no side effects. Many people have reported side effects that may affect their ability to do daily activities, but they should go away within a few days.


What You Need to Know

- COVID-19 vaccines are **safe and effective**.
- Millions of people in the United States have received COVID-19 vaccines under the most intense safety monitoring in U.S. history.
- CDC recommends everyone 12 years and older get vaccinated as soon as possible to help protect against COVID-19 and the related, potentially severe complications that can occur.
- CDC, the U.S. Food and Drug Administration (FDA), and other federal agencies are monitoring the safety of COVID-19 vaccines.
- Adverse events described on this page have been reported to the Vaccine Adverse Event Reporting System (VAERS) [\[1\]](#).
- VAERS accepts reports of any adverse event following any vaccination.
- Reports of adverse events to VAERS following vaccination, including deaths, do not necessarily mean that a vaccine caused a health problem.

Serious adverse events after COVID-19 vaccination are rare but may occur.

For public awareness and in the interest of transparency, CDC is providing timely updates on the following serious adverse events of interest:

- **Anaphylaxis after COVID-19 vaccination is rare** and has occurred in approximately 2 to 5 people per million vaccinated in the United States. Severe allergic reactions, including anaphylaxis, can occur after any vaccination. If this occurs, vaccination providers can effectively and immediately treat the reaction. [Learn more about COVID-19 vaccines and allergic reactions, including anaphylaxis.](#)
- **Thrombosis with thrombocytopenia syndrome (TTS) after Johnson & Johnson's Janssen (J&J/Janssen) COVID-19 vaccination is rare.** As of August 25, 2021, more than 14.2 million doses of the J&J/Janssen COVID-19 Vaccine have been given in the United States. CDC and FDA identified 44 confirmed reports of people who got the J&J/Janssen COVID-19 Vaccine and later developed TTS. Women younger than 50 years old especially should be aware of the rare but increased risk of this adverse event. There are other COVID-19 vaccine options available for which this risk has not been seen. [Learn more about J&J/Janssen COVID-19 Vaccine and TTS.](#)

- CDC and FDA are monitoring reports of Guillain-Barré Syndrome (GBS) in people who have received the J&J/Janssen COVID-19 Vaccine. GBS is a rare disorder where the body's immune system damages nerve cells, causing muscle weakness and sometimes paralysis. Most people fully recover from GBS, but some have permanent nerve damage. After more than 14.2 million J&J/Janssen COVID-19 Vaccine doses administered, there have been around 176 preliminary reports of GBS identified in VAERS as of August 25, 2021. These cases have largely been reported about 2 weeks after vaccination and mostly in men, many 50 years and older. CDC will continue to monitor for and evaluate reports of GBS occurring after COVID-19 vaccination and will share more information as it becomes available.
- **Myocarditis and pericarditis after COVID-19 vaccination are rare.** As of August 25, 2021, VAERS has received 1,377 reports of myocarditis or pericarditis among people ages 30 and younger who received COVID-19 vaccine. Most cases have been reported after mRNA COVID-19 vaccination (Pfizer-BioNTech or Moderna), particularly in male adolescents and young adults. Through follow-up, including medical record reviews, CDC and FDA have confirmed 798 reports of myocarditis or pericarditis. CDC and its partners are investigating these reports to assess whether there is a relationship to COVID-19 vaccination. Learn more about COVID-19 vaccines and myocarditis.
- **Reports of death after COVID-19 vaccination are rare.** More than 369 million doses of COVID-19 vaccines were administered in the United States from December 14, 2020, through August 30, 2021. During this time, VAERS received 7,218 reports of death (0.0020%) among people who received a COVID-19 vaccine. FDA requires healthcare providers to report any death after COVID-19 vaccination to VAERS, even if it's unclear whether the vaccine was the cause. **Reports of adverse events to VAERS following vaccination, including deaths, do not necessarily mean that a vaccine caused a health problem.** A review of available clinical information, including death certificates, autopsy, and medical records, has not established a causal link to COVID-19 vaccines. However, recent reports indicate a plausible causal relationship between the J&J/Janssen COVID-19 Vaccine and TTS, a rare and serious adverse event—blood clots with low platelets—which has caused deaths  [1.4 MB, 40 pages].

Related Pages

- › [Safety of COVID-19 Vaccines](#)
- › [Vaccine Adverse Event Reporting System \(VAERS\): What Reports Mean and How VAERS Works](#)

Last Updated Sept. 2, 2021